

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION**

B.P., et al.,

Plaintiffs,

v.

No: 2:23-cv-00071-TRM-JEM

CITY OF JOHNSON CITY, TENNESSEE, et al.,

Defendants.

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DECLARATION OF ELIZABETH KRAMER

I, ELIZABETH KRAMER, declare under penalty of perjury that the foregoing is true and correct:

1. I am over twenty-one years of age and am competent in all respects to give this Declaration. This Declaration is given freely and voluntarily. I have personal knowledge of the foregoing matter and could, and would, testify competently thereto under penalty of perjury.
2. I am counsel for Plaintiffs B.P., et al. and the proposed classes in the above-referenced case. I am a licensed attorney in good standing in the State of California (CABN 293129) and admitted to appear *pro hac vice* in this District.
3. On May 21, 2024, Plaintiffs received an email from their ESI vendor that additional, potentially relevant data was identified on B.P.'s device. In subsequent phone calls with that vendor, I learned that the data had not been previously identified because of a search criteria error in the data pull.

4. Plaintiffs' counsel had three straight days of depositions in this matter (May 21-23, 2024), and as soon thereafter as feasible, reviewed that data and produced responsive, non-privileged documents, including the attachment to Peters' Reply.

Dated this 17th day of June 2024.

/s/ Elizabeth A. Kramer

ELIZABETH A. KRAMER

CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on June 17, 2024, to counsel of record:

<p>K. Erickson Herrin HERRIN, McPEAK & ASSOCIATES 515 East Unaka Avenue P. O. Box 629 Johnson City, TN 37605-0629 lisa@hbm-lawfirm.com sandy@hbm-lawfirm.com</p> <p>Emily C. Taylor Maria Ashburn WATSON, ROACH, BATSON & LAUDERBACK, P.L.C. P.O. Box 131 Knoxville, TN 37901-0131 etaylor@watsonroach.com mashburn@watsonroach.com</p> <p><i>Attorneys to Defendants, Johnson City, Tennessee, Karl Turner, in his individual and official capacities, Captain Kevin Peters, in his official capacity, and Investigator Toma Sparks, in his official capacity</i></p> <p>Jonathan P. Lakey Burch, Porter, & Johnson, PLLC 130 N. Court Ave. Memphis, TN 38103 9 01-524-5000 jlakey@bpjlaw.com mchrisman@bpjlaw.com</p> <p><i>Attorney to Defendant City of Johnson City, Tennessee</i></p>	<p>Daniel H. Rader III Daniel H. Rader IV MOORE, RADER & YORK PC 46 N. Jefferson Avenue P.O. Box 3347 Cookeville, TN 38502-3347 danrader@moorerader.com danny@moorerader.com</p> <p><i>Counsel for Kevin Peters in his individual capacity</i></p> <p>Kristin Ellis Berexa Ben C. Allen FARRAR BATES BEREXA 12 Cadillac Drive, Suite 480 Brentwood, TN 37027-5366 kberexa@fbb.law ballen@fbb.law jdowd@fbb.law</p> <p><i>Counsel for Toma Sparks in his individual capacity</i></p> <p>Keith H. Grant Laura Beth Rufolo Robinson, Smith & Wells, PLLC 633 Chestnut Street, Suite 700 Chattanooga, TN 37450 kgrant@rswlaw.com lrufolo@rswlaw.com awells@rswlaw.com</p> <p><i>Counsel for Justin Jenkins in his individual capacity, Jeff Legault in his individual capacity and Brady Higgins in his individual capacity</i></p>
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/s/ Elizabeth Kramer
Elizabeth Kramer